

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MISTY M. CHINGREN,

Plaintiff,

vs.

KEITH M. KELLY,

Defendant.

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8:04CV370

ORDER AND  
NOTICE OF HEARING

Robert A. Mooney, William M. Lamson, Jr. and the law firm of Lamson, Dugan and Murray, LLP, have filed a MOTION TO WITHDRAW as counsel for plaintiff (#20) because plaintiff has retained substitute counsel. Because substitute counsel has not yet entered an appearance, the matter will be set for hearing. Plaintiff, Misty M. Chingren, will be required to personally attend this hearing.

**IT IS ORDERED:**

1. The motion to withdraw (#20) is set for evidentiary hearing on **Thursday, August 4, 2005 at 10:30 a.m.** in Courtroom 6, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, Nebraska.
2. Plaintiff, Misty M. Chingren, is required to personally attend the hearing.
3. Moving counsel shall serve copies of the Motion to Withdraw and this Order and Notice of Hearing on Misty M. Chingren at her last known address **by certified mail, return receipt requested.**
4. Moving counsel shall timely file a certificate of service showing compliance with paragraph 3, above, and listing the names and addresses of the persons to whom notice was sent.
5. The parties are advised that the evidentiary hearing will not be necessary and will be cancelled if (a) the motion is withdrawn, or (b) plaintiff retains substitute counsel and substitute counsel enters a written appearance by **1:00 p.m. on Wednesday, August 3, 2005.** The written appearance must be timely filed with the Clerk of the Court. Communication by facsimile or telephone will not satisfy the requirement of a written appearance.

**DATED July 5, 2005.**

**BY THE COURT:**

s/ F.A. Gossett  
United States Magistrate Judge